

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TRICORE, INC.,  
Plaintiff,

v.

SAFECO INSURANCE COMPANY OF  
AMERICA, and R.P. IANNUCCILLO &  
SONS CONSTRUCTION CO.,  
Defendants.

CIVIL ACTION NO. 04-12393-JGD

ASSENTED-TO MOTION TO RESCHEDULE STATUS CONFERENCE

---

Plaintiff, Tricore, Inc. ("Tricore") respectfully requests that the Court reschedule the status conference currently scheduled for August 26, 2005 at 2:30 a.m. As grounds therefor, Tricore states as follows:

1. Edward Kutchin, counsel to Tricore, is scheduled to be on a family vacation on the currently scheduled status conference date. Attorney Kutchin's family vacation was scheduled approximately six months ago.
2. Attorney Kutchin was the only member of his firm to participate in the all-day mediation session before Judge Swartwood. As a result, on behalf of Tricore, only Attorney Kutchin is familiar with the terms of the partial settlement of this action.
3. Following consultation with all parties to the action, the following dates and times are mutually acceptable:
  - a. September 14, 2005
  - b. September 15, 2005 (afternoon only)

c. September 16, 2005

4. All other parties in this action have assented to this motion.

WHEREFORE, for the foregoing reasons, Tricore respectfully requests that the Court reschedule the status conference to one of the above-referenced dates.

The Plaintiff,  
Tricore, Inc.,  
By its attorneys,

Dated: August 12, 2005

/s/ Kerry R. Northup  
Edward D. Kutchin, Esq.  
BBO No. 281920  
Kerry R. Northup, Esq.  
BBO No. 633016  
Kutchin & Rufo, P.C.  
155 Federal Street  
Boston, MA 02110-1727  
(617) 542-3000

CERTIFICATE OF SERVICE

I hereby certify that I have served the within document, by mailing a copy thereof, postage prepaid, to:

Dennis R. Cavanaugh, Esq.  
Brown, Raysman, Millsterin, Felder  
& Steiner  
Cityplace II, 10<sup>th</sup> Floor  
185 Asylum Street  
Hartford, CT 06103

Bradford R. Carver, Esq.  
Jonathan Burwood, Esq.  
Hinshaw & Culbertson LLP  
One International Place, 3<sup>rd</sup> Floor  
Boston, MA 02110

David M. Campbell, Esq.  
Visconti & Boren, Ltd.  
55 Dorrance Street  
Providence, RI 02903

Dated: August 12, 2005

/s/ Kerry R. Northup  
Kerry R. Northup